

more optimum hierarchy of claims for the Applicants, e.g., to separately recite the respective embodiments of Figs. 4-5 & 12 and Figs. 7-11.

In response to the election of species requirement, Applicants gratefully acknowledge the PTO's indication that the nine (9) listed species constitute patentably distinct embodiments of the present invention. Applicants hereby elect Species C, Figures 7 and 9, for prosecution in the subject application. Claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 and 15 are readable on the elected species, as well as new claims 16, 18, 19 and 20. At least claims 1, 14 and 15 are generic

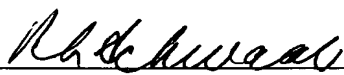
Applicants, of course, reserve the right to file a divisional application covering the non-elected subject matter and/or to receive consideration of claims to additional species as provided by 37 CFR 1.141, upon allowance of any claim that is generic.

No fee is believed to be due; however, if any fee is due, authorization is hereby given to charge such fee to Deposit Account No. 19-0741.

Receipt of the initial Office Action on the merits is awaited.

Respectfully submitted,

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Date


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Marked-Up Version Showing Changes

5. (Amended) The heat exchanger as claimed in claim 1, wherein a plurality of vortex generator rows are arranged one behind the other, [in a straight line,] in the direction of the tube longitudinal axis.

8. (Amended) The heat exchanger as claimed in claim [1] 4, wherein the vortex generators are arranged on both flat faces of the flat tubes [, and respective vortex generator rows on the first flat face and on the second flat face are arranged offset with respect to one another in the direction of the tube longitudinal axis].